

SENATE No. 1959

The Commonwealth of Massachusetts

PRESENTED BY:

Karen E. Spilka

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to fairness and equity in regional transportation planning.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Karen E. Spilka	Second Middlesex and Norfolk
John V. Fernandes	10th Worcester
Richard T. Moore	Worcester and Norfolk
James B. Eldridge	Middlesex and Worcester
David P. Linsky	5th Middlesex
Thomas P. Conroy	13th Middlesex
Tom Sannicandro	7th Middlesex
Danielle W. Gregoire	4th Middlesex
Cory Atkins	14th Middlesex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO FAIRNESS AND EQUITY IN REGIONAL TRANSPORTATION PLANNING.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority
of the same, as follows:*

SECTION 1. The General Laws, as appearing in the 2006 official edition, are hereby amended
by adding after chapter 6A, section 103, the following new section:

Section 104. Metropolitan planning organizations

1. Whereas: The rapid growth in recent decades of many geographic regions of the state has
caused distinct areas with dense residential or workforce populations and substantial economic
activity to be subject to the jurisdiction of more than one metropolitan planning organization;

Whereas: Various transportation projects may cross from the jurisdiction of one metropolitan
planning organization into the jurisdiction of another metropolitan planning organization;

Whereas: Distinct areas of dense residential or workforce populations and substantial economic
activity may be contained within the jurisdiction of a single metropolitan planning organization
but have specific, substantial and locally based needs for public infrastructure investment to
maintain economic vitality which require planning efforts focused on the distinct area;

Therefore: To more fully accomplish a comprehensive and coordinated intermodal transportation plan for the Commonwealth, the secretary of housing and economic development and the secretary of transportation and construction shall develop coordination mechanisms for both sub-regional and joint transportation planning by metropolitan planning organizations in order to better maintain, expand and improve transportation within the state.

2. The secretary of housing and economic development at the request of a municipality or, at his own initiative, shall, in consultation with the secretary of transportation and construction, identify distinct geographic areas of economic activity wherein transportation planning for a sub-region of one or more metropolitan planning organizations would provide more complete and accurate information for the development of a comprehensive and coordinated transportation plan for the commonwealth. Identification of cities and towns to be included in a sub-region shall include, but not be limited to, consideration of:

- a. Proximity to the boundary of the jurisdiction of one or more metropolitan planning organizations;
- b. The existence of major roadways and limited access highways;
- c. Regional commuting patterns;
- d. The region's economic and industrial base and leading industry clusters, cultural assets and demographic characteristics, including its social and economic cohesiveness;
- e. Permitting activity and plans for land use changes that require investment in public transportation infrastructure;

- f. Information from the region's local officials and leading employers that assesses the state of the region's competitiveness and key obstacles to economic growth;
- g. A request by a municipality to join with others to form a sub-region;
- h. Evidence of unmet need for transportation planning and investment.

3. Where the municipalities identified by the secretary of housing and economic development are all contained within the jurisdiction of a single metropolitan planning organization, that metropolitan planning organization shall designate a sub-region to plan and program transportation projects in the identified communities. Where the municipalities identified by the secretary of housing and economic development are contained within the jurisdiction of more than one metropolitan planning organization, those metropolitan planning organizations whose districts include the municipalities identified by the secretary of housing and economic development for inclusion in a sub-region shall enter into an agreement to act jointly to plan and program transportation projects in the identified communities. The transportation improvement plan developed by any sub-region shall be provided to the office of transportation planning within the executive office of transportation and construction for inclusion in the state transportation improvement plan.

4. Planning and programming for a sub-region shall be conducted by a planning committee consisting of the secretary of the executive office of transportation and construction; the secretary of housing and economic development; the commissioner of the Massachusetts highway department; the director of the regional planning agencies with jurisdiction over the municipalities in the sub-region; the regional transit authorities serving municipalities in the sub-region; freight rail companies operating in the sub-region; a representative of each municipality

in the sub-region; a representative of a business association representing major employers in the sub- region. The secretary of the executive office of transportation and construction and the secretary of housing and economic development shall jointly chair the committee.

5. Funds to be programmed by the planning committee shall be a portion of the allocation of federal funds available to the metropolitan planning organizations to which the municipalities of the sub-region belong. The secretary of transportation and construction shall develop a formula for determining the appropriate allocation. In determining the formula, the secretary of transportation and construction shall include consideration of the following: economic activity in the sub-region, including payroll and data relating to workforce size; data from the most recent census regarding commuting patterns; planned land development including development permissible under any municipality master plans and zoning regulations; existing transportation infrastructure.

6. The metropolitan planning organizations to which the municipalities of the sub-region belong shall contract with the regional planning agencies which serve the municipalities in the sub-region to accomplish the transportation planning and programming duties and administrative functions of the sub-region.